

Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

SENATE CONCURRENT RESOLUTION 1022

A CONCURRENT RESOLUTION

**RESCINDING ALL OF THIS STATE'S PREVIOUS CALLS FOR A CONSTITUTIONAL CONVENTION
TO AMEND THE CONSTITUTION OF THE UNITED STATES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Whereas, the Legislature of the State of Arizona, acting with the best
2 of intentions, has in the past applied to the Congress of the United States
3 by memorial or resolution in accordance with article V, Constitution of the
4 United States, for one or more constitutional conventions for the purpose of
5 amending the Constitution of the United States; and

6 Whereas, over the course of time, the will of the people of the State
7 of Arizona has changed with regards to Arizona's previous calls for a
8 constitutional convention to amend the Constitution of the United States; and

9 Whereas, certain persons or states have called for a constitutional
10 convention on issues that may be directly in opposition to the will of the
11 people of this state; and

12 Whereas, the people of this state do not want their previous
13 applications for a constitutional convention to be aggregated with those
14 calls for a convention from other states; and

15 Whereas, former Justice of the United States Supreme Court Warren E.
16 Burger, former Associate Justice of the United States Supreme Court Arthur
17 J. Goldberg and many other leading constitutional scholars are in general
18 agreement that a convention, notwithstanding whatever limitation might be
19 placed on it by the call for a convention, may propose sweeping
20 constitutional changes or, by virtue of the authority of a constitutional
21 convention, redraft the Constitution of the United States creating an
22 imminent peril to the well established rights of citizens and to the duties
23 of various levels of government; and

24 Whereas, the Constitution of the United States has been amended many
25 times in the history of this nation and may be amended many more times
26 without the need to resort to a constitutional convention, and has been
27 interpreted for more than two hundred years and found to be a sound document
28 that protects the lives and liberties of citizens; and

29 Whereas, there is no need for, and in fact there is great danger in,
30 a new constitution or in opening the Constitution of the United States to
31 radical changes, the adoption of which could create legal chaos in this
32 nation and begin the process of another two centuries of litigation over its
33 meaning and interpretation; and

34 Whereas, changes or amendments that may be needed in the present
35 Constitution of the United States may be proposed and enacted without
36 resorting to a constitutional convention by using the process provided in the
37 Constitution and previously used throughout the history of this nation.

38 Therefore

39 Be it resolved by the Senate of the State of Arizona, the House of
40 Representatives concurring:

41 1. That the Legislature of the State of Arizona hereby repeals,
42 rescinds, cancels, renders null and void and supersedes any and all existing
43 applications to the Congress of the United States for a constitutional
44 convention under Article V of the Constitution of the United States for any
45 purpose, whether limited or general.

1 2. That the Legislature of the State of Arizona urges the legislature
2 of each and every state that has applied to Congress for either a general or
3 limited constitutional convention to repeal and rescind their applications.

4 3. That the Secretary of State of the State of Arizona transmit copies
5 of this resolution to the President of the United States Senate, the Speaker
6 of the United States House of Representatives, the Administrator of General
7 Services in Washington, D.C., each Member of Congress from the State of
8 Arizona and the Secretaries of State and presiding officers of both houses
9 of the legislatures of each state in the Union.

PASSED BY THE HOUSE APRIL 1, 2003.

PASSED BY THE SENATE MARCH 10, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2003.

Passed the House April 1, 20 03,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate March 10, 20 03,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Ken Bennett
President of the Senate

Charmine B. Livingston
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2 day of April, 20 03

at 12:34 o'clock P. M.

Janet K. Brewer
Secretary of State

S.C.R. 1022